

105TH CONGRESS
2D SESSION

S. RES. 290

To authorize representation by Senate Legal Counsel.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 2), 1998

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize representation by Senate Legal Counsel.

Whereas Senator John F. Kerry has received a subpoena for documents in the case of Tyree v. Central Intelligence Agency, et al., Case No. 98–CV–11829, now pending in the United States District Court for the District of Massachusetts;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to represent Members of the Senate with respect to any subpoena, order, or request for documents relating to their official responsibilities; and

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Sen-

ate may, by the judicial process, be taken from such control or possession but by permission of the Senate: Now, therefore, be it

- 1 *Resolved*, That the Senate Legal Counsel is author-
- 2 ized to represent Senator Kerry in connection with the
- 3 subpoena served upon him in the case of Tyree v. Central
- 4 Intelligence Agency, et al.

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